

EDWARD R. REINES (Bar No. 135960)
edward.reines@weil.com
DEREK C. WALTER (Bar No. 246322)
derek.walter@weil.com
CHRISTOPHER S. LAVIN (Bar No. 301702)
christopher.lavin@weil.com
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100
Attorneys for Plaintiffs/
Counterclaim-Defendants,
ILLUMINA, INC. AND
ILLUMINA CAMBRIDGE LTD.

DOUGLAS W. MCCLELLAN (*pro hac vice*)
doug.mcclellan@weil.com
WEIL, GOTSHAL & MANGES LLP
700 Louisiana Street, Suite 1700
Houston, TX 77002
Telephone: (713) 546-5000
Facsimile: (713) 224-9511

STEPHEN BOSCO (*pro hac vice*)
stephen.bosco@weil.com
WEIL, GOTSHAL & MANGES LLP
2001 M Street
Washington, DC 20036
Telephone: (202) 682-7000
Facsimile: (202) 857-0940

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ILLUMINA, INC., and
ILLUMINA CAMBRIDGE LTD.,

Plaintiffs,

v.

BGI GENOMICS CO., LTD.,
BGI AMERICAS CORP.,
MGI TECH CO., LTD.,
MGI AMERICAS, INC., and
COMPLETE GENOMICS INC.,

Defendants.

COMPLETE GENOMICS INC.,

Counterclaim-Plaintiff,

v.

ILLUMINA, INC., and
ILLUMINA CAMBRIDGE LTD.,

Counterclaim-Defendants

Case No. 3:19-cv-03770-WHO

**[PROPOSED] ORDER GRANTING
PLAINTIFFS ILLUMINA, INC. AND
ILLUMINA CAMBRIDGE LTD.'S
MOTION FOR PRELIMINARY
INJUNCTION**

Date: March 25, 2020

Time: 2:00 p.m.

Courtroom: 2

Hon. William H. Orrick

1 Plaintiffs Illumina Cambridge Ltd. and Illumina, Inc. (collectively, “Illumina”) move for
 2 a preliminary injunction. In consideration of the entire record, Illumina has demonstrated that it
 3 is likely to succeed on the merits of its patent infringement allegations against BGI Americas
 4 Corp., MGI Tech Co. Ltd., MGI Americas, Inc., and Complete Genomics, Inc. (“Defendants”).
 5 Defendants have not presented a substantial question of the validity of the asserted patents. In
 6 addition, Illumina has demonstrated that it is substantially likely to suffer irreparable harm from
 7 Defendants’ ongoing infringement and that the balance of equities and the public interest favor
 8 protecting Illumina and granting a preliminary injunction. Illumina’s Motion for Preliminary
 9 Injunction is therefore GRANTED.

10 **Accordingly, IT IS HEREBY ORDERED :**

11 Defendants and their officers, agents, affiliates, servants, employees, and attorneys, and all
 12 those persons acting or attempting to act in concert or participation with them, are enjoined from
 13 (1) distributing in the United States (a) the accused sequencers and accused reagents, or (b) any
 14 similar product that embodies the claims of U.S. Patent No. 7,566,537 (“the ’537 Patent”) or U.S.
 15 Patent No. 9,410,200 (“the ’200 patent”), or (2) using those products in the United States to
 16 promote them to third parties. The accused sequencers and the accused reagents are listed in the
 17 attached Appendix.

18 Defendants shall, within ten days from the date of issuance of this Preliminary Injunction,
 19 provide notice and a copy of this Preliminary Injunction to (1) each of the Defendants’ officers,
 20 agents, affiliates, servants, employees, and attorneys; (2) all past and current users of the accused
 21 sequencers and accused reagents, and/or any similar product that embodies the claims of the ’537
 22 Patent or the ’200 Patent, in the United States; and (3) any other person or entity acting in active
 23 concert or participation with any of the Defendants with respect to any of the activities enjoined
 24 here, such that above persons and entities are duly noticed and bound by this Order under Federal
 25 Rule of Civil Procedure 65(d)(2). Defendants shall further provide proof of each such notice to
 26 this Court by filing it in this action within fourteen days from the date of issuance of this
 27 Preliminary Injunction.
 28

DATED: _____, 2020

UNITED STATES DISTRICT JUDGE

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Appendix

Accused Sequencers:

MGISEQT7, DNBSEQ-G400 (previously known as the MGISEQ-2000), DNBSEQ-G50 (previously known as the MGISEQ-200), BGISEQ-500, and BGISEQ-50 (all of which include the BGI sequencer instrument, the sequencer instrument software, and the sequencer instrument computer workstation).

Accused Sequencing Reagents:

MGIEasy RNA Exome Application, MGIEasy RNA Library Prep Set, MGIEasy Small RNA Library Prep Kit, MGIEasy RNA Directional Library Prep Set, MGIEasy rRNA Depletion Kit, MGIEasy FS PCR-Free DNA Library Prep Set, MGIEasy Exome FS Library Prep Set, MGIEasy Cell-free DNA Library Prep Set, MGIEasy Exome Universal Library Prep Set, MGIEasy PCR-Free DNA Library Prep Set, MGICare BRCA1/2 Sequencing Library Preparation Kit, MGIEasy Universal DNA Library Prep Set, MGIEasy Exome Capture V5 Probe Set, MGIEasy FS DNA Library Prep Set, MGIEasy RAD Library Prep Kit, MGIEasy Exome Capture V4 Probe Set, MGIEasy stLFR Library Prep Kit, MGIEasy Whole Genome Bisulfite Sequencing Library Prep Kit, MGIEasy Circularization Kit, MGIEasy DNA Adapters-96 (Plate) Kit, MGIEasy DNA Clean Beads, MGICare Single Cell Chromosomal Copy Number Variation Detection Kit, MGICare Single Gene Genomic Disease Phasing and Chromosome Copy Number Variation Sequencing Library Prep Kit, MGICare Cell-Free DNA Chromosomal Aneuploidy and Single Cell Disease Sequencing Library Prep Set.